

Alexandria Division

Defendant.

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C.A. No. 1:23cv00142 (AJT/JFA)

PLAINTIFF'S PROPOSED VOIR DIRE QUESTIONS

1. The Plaintiff in this case is Denise Randles. She lives in Broadlands, Virginia. Do any of you know Denise Randles?
2. The Defendant in this case is the Town of Herndon. The events at issue in this case arose out of Denise Randles' employment as a police officer with the Herndon Police Department. Under Virginia law, the Herndon Police Department cannot be sued as an entity separate from the Town of Herndon. Are any of you, or your close friend or family members, currently (or have been previously) employed by the Town of Herndon or the Herndon Police Department in any capacity?
3. The Plaintiff, Denise Randles, is represented by Carla D. Brown of the law firm Charlson Bredehoft Cohen Brown & Nadelhaft, P.C., located in Reston, Virginia, and Mary Ann Kelly, of the Law Office of Mary Ann Kelly, located in Fairfax, Virginia. Do any of you know Ms. Brown or Ms. Kelly? Do any of you know any other lawyers or employees from the firm of Charlson Bredehoft Cohen Brown & Nadelhaft? Have any of you ever contacted the firm of Charlson Bredehoft Cohen Brown & Nadelhaft (or any predecessor name), or the Law Office of

Mary Ann Kelly for representation? Have any of you, or close friends or relatives, ever been represented by any attorney at Charlson Bredehoft Cohen Brown & Nadelhaft, or by Mary Ann Kelly? Have any of you, or close friends or relatives, ever been on the opposite side of Charlson Bredehoft Cohen Brown & Nadelhaft, or the Law Office of Mary Ann Kelly, in any litigation?

4. The Defendant is represented by Heather Bardot and _____ of McGavin, Boyce, Bardot, Thorsen & Katz, P.C. in Fairfax, Virginia. Do any of you know Ms. Bardot or _____? Do any of you know any other lawyers or employees from the firm of McGavin, Boyce, Bardot, Thorsen & Katz? Have any of you ever contacted the firm of McGavin, Boyce, Bardot, Thorsen & Katz for representation? Have any of you, or close friends or relatives, ever been represented by any attorney at McGavin, Boyce, Bardot, Thorsen & Katz? Have any of you, or close friends or relatives, ever been on the opposite side of McGavin, Boyce, Bardot, Thorsen & Katz in any litigation?

5. Did any of you know each other before this morning? If so, would your acquaintance with any other juror affect your ability to deliberate and to reach your own independent decision as a juror in this case?

6. Has anyone here previously served on a jury? (Specifics.) What was outcome? Did you feel that the legal system worked and that justice was served?

7. Has anyone here ever previously been involved in a civil lawsuit, either as plaintiff or defendant, meaning you either brought claims against another party, or claims were brought against you? (Specifics.) Did you feel the result in that case was a fair result? Why or why not? Did you feel the judicial system worked and that justice was served?

8. Have any of you or members of your family been a party or witness in any litigation (excluding family law matters, traffic cases, and probate matters)? What kind of case was it and which party called you as a witness?

9. Have you, any members of your family, or any close friends ever had an experience with the police that significantly impacted your view of the police, either positively or negatively? Do you think this experience would prevent you from being fair and impartial in this case?

10. Are any of you or any members of your family or close friends now serving or have ever served in the capacity of law enforcement officer? If so, Do you think this relationship would prevent you from being fair and impartial in this case? (Please note that in the definition of law enforcement officer, I am including not only police officers, but also employees of law enforcement agencies, military police, INS, border patrol, DEA, ATF, DOJ, Department of Homeland Security, or other government law enforcement or intelligence agency etc.

11. There will be witnesses called during this trial who are members of law enforcement and who may have been in that profession for a number of years. Is there anything about the law enforcement profession and/or about the witness having been engaged in such profession for a number of years that would cause you to either give greater or lesser weight or credibility to their testimony solely by virtue of their employment in law enforcement?

12. Do you have any strong feelings regarding police officers which would prevent you from giving either said fair consideration while listening to, and then deliberating on a verdict, for this trial?

13. Do any of you, or close friends or family members, have any legal training, whether as an attorney, paralegal, legal assistant, or other similar legal training? (Specifics.)

14. Do any of you, or close friends or family members, have any training in the fields of discrimination, harassment, or retaliation, including the federal anti-discrimination law known as Title VII, or the state anti-discrimination law known as the Virginia Human Rights Act?

15. Have you, or any close friends or family members, ever been in the position of decision-making of whether to investigate or terminate an employee?

16. Have you, or any close friends or family members, ever been accused of discrimination, sexual harassment, or retaliation in the workplace?

17. Have you, or any close friends or family members, ever been a victim of discrimination, sexual harassment, or retaliation in the workplace?

18. Have you, or any close friends or family members, ever been the subject of a workplace investigation?

19. Is there anyone here who believes that an employee, if he or she is able to prove the liability elements of her case, should not be awarded damages?

20. There are a number of witnesses listed by the plaintiff and the defendant who may testify in this case, depending upon how the trial unfolds, and the rulings of the Court. The following is the preliminary list of witnesses who may be called in this case:

Denise Randles
Sumit Anand, M.D.
Brad Anzengruber
William Ashton
Jaysyn Carson
Chief Maggie DeBoard
Stephen Dripps
Captain Justin Dyer

Sgt. Brian Hamilton
Tanya Kendrick
Sean McManus
Lt. Jim Moore
Jeff Pangelly
Corporal James (“JJ”) Passmore (Retired)
Captain Steve Pihonak
Sgt. Jim Rider
Sgt. Claudio Saa (Retired)
Jonathan Sorg
Chad Staller
Drew Stanley
Sheridan Stapleton
Stephen Thompson
Michelle Walsh
Abby May
Staci Bostic
Susan J. Fiester, MD, FAPA
Thomas Borzilleri, PH.D.

Do you recognize any of these names or have any knowledge of any of these individuals?

21. This trial is estimated to last ____ days (Monday, Tuesday, Thursday, Friday and the next week). There will be no trial on Wednesday, but there is a chance that your jury deliberations could go in that day. Is there anyone who would suffer hardship because of the estimated number of days?

22. Is there any reason, after listening to everything that has taken place so far, that you believe you would not be able to be fair and impartial as a juror in this case?

October 10, 2023

Respectfully submitted,

_____/S_/_____
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Counsel for Plaintiff, Denise Randles

CERTIFICATE OF SERVICE

I hereby certify on the 10th day of October 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send a notification of such filing to the following:

Heather K. Bardot, Esq.
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